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In the Supreme Court of the United States

OCTOBER TERM, 1968.

Nos. 394 and 576.

CULLEN HUCKABY,
Petitioner,

vs.

UNITED STATES OF AMERICA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT.

MOTION FOR A LEAVE TO FILE PETITION FOR REHEARING AND MOTION OUT OF TIME.

JAMES EASLY,
521 Terminal Tower Bldg.,
Cleveland, Ohio 44113,
Counsel for Petitioner.

THE GATES LEGAL PUBLISHING CO., CLEVELAND, OHIO—TEL. (216) 621-5647

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James Easly, counsel for petitioner, Cullen Huckaby, and on his behalf, respectfully requests leave to file the attached petition for rehearing and motion for disclosure of electronic surveillance out of time for the reason that James Easly has been ill for the past ten days and has been confined to his bed for the past week and he prepared the attached petition at home without the benefit of any reference books and from memory misconstrued the rule as providing thirty days instead of twenty-five days for the filing of the petition.

Respectfully submitted,

JAMES EASLY,
521 Terminal Tower Bldg.,
Cleveland, Ohio 44113,
Counsel for Petitioner.